

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SPENCER McCLOUD,

No. 3:18-cv-01397-JR

Plaintiff,

v.

APPLIED INTEGRATED
TECHNOLOGIES, INC.

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Russo issued a Findings and Recommendation (#19) on October 15, 2018, in which she recommends that this Court grant Defendant's motion to dismiss but allowing Plaintiff leave to amend. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's

report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Russo's Findings & Recommendation [19].

Accordingly, Defendant's motion to dismiss [6] is granted. Any motion to amend is due fourteen (14) days of the date of this Order.

IT IS SO ORDERED.

DATED this 7 day of Dec, 2018.



MARCO A. HERNANDEZ
United States District Judge